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UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

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**LEE ABT, ESQUIRE**  
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ATTORNEY FOR DEBTOR  
(LA 5525)

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In re:

**EDELMIRA I. MARTE-DELEON,**

Debtor.

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Case No. 20-17329-JNP

Judge: Jerrold N. Poslusny, Jr.

Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO**  
**XXX CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**  
**\_\_\_\_ TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby object to the following (choose one):

1. \_\_\_\_ Motion for Relief from the Automatic Stay filed by \_\_\_\_, creditor.

The hearing on this motion is scheduled for \_\_\_\_ at \_\_\_\_ AM.

OR

\_\_\_\_ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_ at \_\_\_\_ AM.

**XXX** Certification of Default filed by MidFirst Bank, creditor.

I am requesting a hearing be scheduled on this matter.

\_\_\_\_ Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled on this matter.

2. I am objecting to the above for the following reasons:

\_\_\_\_\_ Payments have been made in the amount of \$ \_\_\_\_\_, but

have not been accounted for. Documentation in support is attached hereto.

**XXX** Payments have not been made for the following reasons and debtor proposes repayment as follows (explain your answer): **I acknowledge that I am behind on my post-petition mortgage payments to this creditor as agreed to in the Cure Order entered on 9/29/22. I am a single mother of two young children. I was working two jobs to make ends meet, and in 5/23 I lost my primary job through no fault of my own. I have continued to work my second job, trying to get replacement work. Thus, after I lost my job in 5/23 I was unable to continue my payments to MidFirst. However, now I have back working two jobs and will be able to afford increased payments to MidFirst so that I can try to save my home that I desperately need for my family. Going forward I will be able to make payments to MidFirst on this mortgage loan. My regular monthly payment on this loan is presently \$783.76 per month. At present the post-bankruptcy arrears are \$8417.22 through 9/23 as stated in the MidFirst certification of default, plus the regular payment of \$783.76 for 10/23 for a total of \$9,200.98 through 10/23. I respectfully propose to resolve these post-petition arrears by paying MidFirst \$2,000.00 per month, consisting of the regular payment per months of \$783.76 plus the \$1,216.24 per month remainder of my \$2,000.00 per month payment that would go to the post-bankruptcy arrears of \$9200.98 over an 8-month period starting with the 11/23 payment and continuing through 6/24 in addition to making the regular monthly mortgage payments of \$783.76 for each of those months of 11/23 through 6/24. These payments would be made proportionately from my bi-weekly checks, with for example the 11/23 payment being paid by a payment of \$1,000.00 when I receive my 11/10/23 check and \$1,000.00 when I receive my 11/24/23 check, and onward likewise each month. This should have my post-petition arrears current in slightly less than 8 months. My mortgage payment would then return to the regular monthly payment starting in 7/24. I will be able to make these increased payments and I respectfully and humbly beg Midfirst to accept this proposal and allow me to keep making payments so that I can save my home for my family. I remain highly motivated to successfully maintain my mortgage payments and my trustee payments under my plan. My employment problems have been resolved after much hard work. I also ask that the creditor's standard fees and costs for this motion be put into my Chapter 13 plan.**

\_\_\_\_\_ Other (explain your answer): N/A

3. This certification is being made in an effort to resolve the issues raised by the creditor or trustee.
4. I certify under penalty of perjury that the foregoing is true and correct.

/s/ Edelmira I. Marte-DeLeon

Date: 10/10/22

\_\_\_\_\_  
EDELMIIRA I. MARTE-DELEON, DEBTOR

**Note:**

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within 14 days of the filing of a *Creditor's Certification of Default (under an Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions)* or a *Trustee's Certification of Default*.